

Cestone, Paul

From: David DesRoches <davidoftherocks@gmail.com>
Sent: Friday, July 26, 2019 4:03 PM
To: Cestone, Paul
Subject: Re: Re. EPA-HQ-2016-002082

Sounds great, thanks Paul.

David DesRoches
203-522-0368
Journalist | Writer | Teacher
DavidDesRoches.com

On Fri, Jul 26, 2019 at 3:53 PM Cestone, Paul <Cestone.Paul@epa.gov> wrote:

David,

I have completed a first level review of 206 of 949 documents from eDiscovery folder ED_002696A_00004492 for FOIA EPA-HQ-2016-002082.

I will continue to work on reviewing these documents until finished at the earliest possible time.

Also, I have notified my supervisor that 206 documents are available for a second level review. Once they, or any other batch of documents gets their second level review completed I will post the documents in FOIA Online and process an interim release.

I'll note that most of the documents collected are releasable without redactions. A few have personal phone numbers or the like and have small redactions. A few document files actually contain nothing and so reduce the total actual document count by a few. Also there are a number of duplicate documents some of which you'll get as duplicate, but if in my review I am sure they are duplicates (e.g. they show up back to back) then they won't be included.

Hopefully we will be able to get you some number of documents delivered through the FOIA Online sometime next week.

Paul

202-566-0489

From: David DesRoches <davidoftherocks@gmail.com>
Sent: Thursday, July 25, 2019 10:44 AM
To: Cestone, Paul <Cestone.Paul@epa.gov>
Cc: Sherlock, Scott <Sherlock.Scott@epa.gov>; Shannon, Julie <Shannon.Julie@EPA.GOV>; wfish@hinckleyallen.com;
DesRoches, David <d-desroches@ctpublic.org>
Subject: Re: Re. EPA-HQ-2016-002082

Paul,

Could you give me an update on this? When could I expect to start getting some records? Thanks!

david

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On Mon, Jun 10, 2019 at 10:15 AM David DesRoches <davidoftherocks@gmail.com> wrote:

Paul,

Thank you for this. I look forward to start getting some records as soon as they're available.

I'm not quite sure I understand the search procedure. If you're able to determine how many email formats Monsanto uses, it seems you'd be able to simply search for all emails from those addresses, as that was the original request. I was told it would be too burdensome to find those emails, but as you've pointed out, you've been able to determine not only the number of email formats being used, but also the rate of each type that's used. It seems reasonable and plausible that the same procedure used to determine the email format could be used to determine responsive records, is that correct?

Either way, I'm grateful for the update. Thank you.

david

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On Tue, Jun 4, 2019 at 4:49 PM Cestone, Paul <Cestone.Paul@epa.gov> wrote:

Good afternoon Mr. DesRoches,

I am writing to let you know that EPA has submitted a search request in it's eDiscovery database for a set of email correspondence between various EPA employees and individuals with Monsanto, Chlorine Chemistry Council/now known as the American Chemistry Council, and the Chemical Manufacturers Association per previous arrangements with you.

The key search terms being used are:

"polychlorinated biphenyls"

“PCB”

“Aroclor”

“Askarel”

EPA Custodians of interest identified are:

1. Don Clay clay.don@epa.gov Former: Director, OTS & AA/OSWER (89-93); now deceased.
2. William Reilly reilly.william@epa.gov former: 7th EPA Administrator (1989-1993)
3. Linda J. Fisher fisher.linda@epa.gov former: AA/OPPTS (circa 89-93)
4. Marianne Horinko horinko.marianne@epa.gov former: AA/OSWER (01-04); acting Admin.(03)
5. Jim Jones Jones.Jim@epa.gov former: AA/OCSPP (2011- 2017)
6. Mathy Stanislaus Stanislaus.Mathy@epa.gov former: AA/OLEM (2009-2016)
7. Jared Blumenfeld BLUMENFELD.JARED@EPA.GOV former: Region 9 RA (2010 - 2016)
8. Mark Maddaloni Maddaloni.Mark@epa.gov former: Region 2 toxicologist (1991-2018)
9. William D. Ruckelshaus Ruckelshaus.william@epa.gov former: 1st & 5th EPA Administrator (70-73, 83-85)
10. Lidia Watrud watrud.lidia@epa.gov former: ORD researcher
11. Jess Rowland Rowland.jess@Epa.gov current: OPP
12. Susan Lewis lewis.susan@epa.gov (current OPP DD 2013-present)
13. Bill Jordan William.jordan@epa.gov (former OPP DD 2012-2015)

However, the eDiscovery searches can only go back to 2013 and so a number of the folks identified above will not be found.

Participants (searches to/from/cc/bcc):

1. Melissa Duncan melissa.duncan@monsanto.com melissaduncan@monsanto.com
2. Tracy Reynolds tracy.reynolds@monsanto.com tracyreynolds@monsanto.com
3. Phil Perry phil.perry@monsanto.com philperry@monsanto.com
4. Amelia Jackson-Gheissari amelia.jacksongheissari@monsanto.com ameliajacksongheissari@monsanto.com

Please note that we found that the Monsanto Company uses about 7 email formats, with first '.' last (ex. jane.doe@monsanto.com) being used 79.630% of the time. Next most common is firstlast without the period -- used 7.4%. The other formats could not be determined. As such we have to guess the Monsanto email names of interest, and they are as noted above.

Other names associated with PCB-related lobbying efforts noted are:

1. Clifford "Kip" Howlett, Jr., Executive Director, Chlorine Chemistry Council kip_howlett@americanchemistry.com
2. M. L. Mullins, Vice President-Regulatory Affairs, Chemical Manufacturers Association

I spoke with the American Chemistry Council and they were able to provide me with a possible email used by Kip Howlett. However, The CMA merged with the CCA, now ACC which is the American Chemistry Council over 20 years ago and they indicated they have no records from that time so Mullins can't be searched for.

So, Mr. DesRoches, I hope to hear back from the eDiscovery team soon, with results from this search but I'm afraid I can't provide you a reliable ETA. I am hoping it won't take long but they are often delayed and it could be another two weeks. When I do receive the results of the search the material will need to be reviewed before it can be released either in full or with redactions and some may be determined to be un-releasable. Nonetheless, I expect to provide you with an update when I receive the results. I can then let you know the volume of the material found and provide you with a more accurate ETA when material may be released.

If you have any questions regarding this information or your FOIA I can be reached at cestone.paul@epa.gov or by phone at 202-566-0489.

With regards, Paul Cestone

Paul Cestone

USEPA/OCSP

OPPT/Natl Pgrm Chem Div

202-566-0489